

REMARKS

Claims 8-19 remain pending in this application. Claims 1-7 were previously cancelled. Claims 8-11, 13-16, 18 and 19 were previously presented. Claim 17 remains unchanged. Claim 12 is amended.

Claims**Claim Rejections – 35 U.S.C. §112**

Claims 12 and 13 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In accordance with the Examiner's helpful suggestion, claim 12 is amended to depend from claim 11. Therefore, applicants respectfully propose that the rejection is overcome. Applicants respectfully requests reconsideration of the rejection of the claims in view of the amendment.

Claim Rejections – 35 U.S.C. §102

Claims 8-19 stand rejected under 35 U.S.C 102(b) as being anticipated by Slattery et al (U.S. 6,111,896). Under 35 U.S.C 102(b), for a reference to anticipate a claimed invention, each and every element of the claim must be found in the reference.

Claim 8 recites, inter alia, a “system for synchronizing clocks across a network, comprising...a device that **receives a signal that comprises a plurality of packets, at least a portion of the plurality of packets comprising an embedded time stamp...**a device that detects the at least a portion of the plurality of packets containing the embedded time stamp...and a device that **computes an adjusted time stamp based on the embedded timestamp and a precision local clock and incorporates the adjusted timestamp into the at least a portion of the plurality of packets containing the embedded timestamp prior to transmitting the at least a portion of the plurality of packets to the network.**” (Emphasis added).

The Office Action states that Slattery et al discloses (at col. 6, lines 31-35; col. 7, lines 17-36; col. 14, lines 22-46; and col. 11, lines 25-47) the “device that receives a

signal that comprises a plurality of packets, at least a portion of the plurality of packets comprising an embedded time stamp” and “device that computes an adjusted time stamp based on the embedded timestamp and a precision local clock and incorporates the adjusted timestamp into the at least a portion of the plurality of packets containing the embedded timestamp” elements of claim 8. Applicants respectfully disagree.

Slattery et al appears to merely disclose a “data link control circuit [having] an input port for receiving transport streams and an output port for transmitting transport streams.” (Col. 6, lines 31-35). The Slattery et al control circuit appears to generate a “receipt time stamp” that indicates “when a transport packet is received at an input port” and generate a “dispatch time stamp” that indicates “the time at which a transport packet is to be transmitted from an output port.” (Col. 7, lines 17-21). The Slattery et al remultiplexer node processor appears to use the dispatch time stamp to create a transmit queue of transport packets that is arranged in order of increasing dispatch time. (Col. 7, lines 37-49). Slattery et al also appears to merely disclose system time being generated by a reference clock generator. (Col. 14, lines 22-46). Finally, Slattery et al appears to disclose only outputting a chosen part of an input transport stream (TS) or receiving transmitted bit streams, selecting portions of the transmitted bit streams, and transmitting one or more remultiplexed transport streams (TSs) that are different than the transmitted bit streams. (Col. 11, lines 25-47). Therefore, Slattery et al does not appear to teach a device, as recited in claim 8, that “receives a signal that comprises a plurality of packets, at least a portion of the plurality of packets comprising an embedded time stamp” and “computes an adjusted time stamp based on the embedded timestamp and a precision local clock” let alone a device that “incorporates the adjusted timestamp into the at least a portion of the plurality of packets containing the embedded timestamp prior to transmitting the at least a portion of the plurality of packets to the network.” In other words, Slattery et al does not appear to teach or discuss receiving packets having an embedded timestamp, computing an adjusted timestamp based, in part, on the embedded timestamp, and incorporating the adjusted timestamp into the packets as recited in claim 8. As a result, since Slattery et al lacks elements recited by claim 8 it is respectfully proposed that the rejection for anticipation is overcome.

Dependent claims 9-15 being dependent on and further limiting independent claim 8, should be allowable for that reason, as well as for the additional recitations that they contain. Applicants respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

Independent claim 16 contains elements similar to independent claim 8 and should be allowable for at least the same reasons discussed above. Therefore, it is respectfully proposed that the rejection for anticipation is overcome.

Dependent claims 17-19 being dependent on and further limiting independent claim 16, should be allowable for that reason, as well as for the additional recitations that they contain. Applicants respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

Having fully addressed the Examiner's objections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney, Vincent Duffy, at (818) 480-5223 so that a mutually convenient date and time for a telephonic interview may be scheduled.

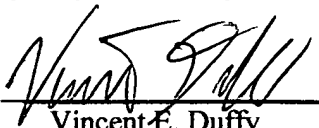


Serial No.: 10/537,750

PU020488

No fee, other than the fee discussed above, is believed due. However, if an additional fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
Terry Wayne Lockridge

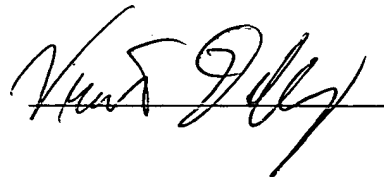
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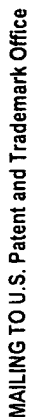
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Report to Data Base
Docket No PU000488
Inventor(s): TELFY WAYNE LOCKIDGE ET AL.
Serial No. 10/537,750 Filed: 6/6/2005
PATENT OPERATIONS
Patent No. _____
Atty: VINCENT E. DUFFY
MAILING TO U.S. Patent and Trademark Office

Title: A Method and System For Remote Tuning and Clock Synchronization

APPLICATION AS FILED									
Enter Date	Enter Number	Check Type	Check Items Mailed with Application				Express Mail Application Label No.:		
		Independent Claims	<input type="checkbox"/>	Original-US Nat'l	<input type="checkbox"/>	Declaration			
		Claims in Excess 20	<input type="checkbox"/>	Divisional	<input type="checkbox"/>	Statement under CFR § 1.56-013M			
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Mailed 4/24/09	Due 1/28/09	AMENDMENTS	Mailed	Due	APPEALS	Mailed	FEES		
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		After Allowance IPR312			Appeal Brief		Issue Fee		
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